

TO: CLERK, U.S. DISTRICT COURT, WESTERN DISTRICT OF TEXAS  
UNITED STATES COURTHOUSE  
501 W. 5<sup>th</sup> STREET SUITE 1100  
AUSTIN, TX. 78701

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CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY [Signature] DEPUTY CLERK

CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY [Signature]

ENCLOSED ARE A "BRIEF" ACKNOWLEDGING I RECEIVED NOTICE OF THE  
CLERKS ORDER: 9-17-24, RESPONDANCE WITHIN TIME FRAME OF THE  
ATTEMPT OF SERVICE, VIA U.S. POSTAL MAIL? DATE OF RETURN RESPONSE:  
9-23 2024. BY "PRO SE" APPELLATE: NAME: Tifford Byrone  
Crosby PLACE OF CONFINEMENT: Telford Unit  
TDCJ #: 836746

NOW COMES APPELLATE "PRO SE" ANSWER(S) TO THE ORDER(S) OF SAID  
COURT, WITH A WRITTEN RESPONSE TO THE RESPECTED AUTHORITYS OF THE  
SAID COURT WHICH REQUEST FACTS & REASONS, AND CITINGS OF LAW,  
HEREIN IS A BRIEF SUMMARY OF REASONS OF DELAYANCE(S) (1) DATES OF  
SERVICES & RETURNED (3) NOTICE OF MAIN INGREDIENT(S) [MISSING TRANSCRIPT]  
CASE IN CHIEF, (4) INEFFECTIVE ASSISTANCE OF COUNSEL (5) APPELLATES REQUEST FOR  
CORRECTIVE ACTIONS, TO BE REFRAMED FROM FURTHER COLLATERAL CONSEQUENCES  
OF THE MISCONDUCTS FROM THESE UNKNOWN PARTIES CONSPIRACY(S) TO COMMIT  
MORE VIOLATIONS OF THE 5<sup>th</sup> & 14<sup>th</sup> AMENDMENTS BY BEING A U.S. CITIZEN THE U.S.  
CONSTITUTION GOVERENS & AFFORDS ME THESE RIGHTS OF PROTECTIONS WHICH STATES NO  
LEGAL OR ILLEGAL AUTHORITY ARE ABOVE THE LAW(S) OF THE LAND NOR THE COURTS OR  
CONGRESS, WITH BRIEF INTENTIONS TO SHOW THE COURTS REASONS TO CONSIDER RIGHTS  
TO A NEW TRIAL OR RELEASE THE APPELLATE FROM THESE ILLEGAL RESTRAINTS UNTIL  
FURTHER CORRECTIVE ACTIONS OF THE IMPROPER IMPOSITION BE SETTLED OR DETERMINED  
BY THE COURTS WHO HAS JURISDICTIONS TO AWARD APPELLATE? TIME SERVED TO DENY  
THE APPELLATE THESE SIMPLE RIGHTS WOULD NEGLECT THE "DUE PROCESS" BECOMES  
CRUEL AND UNUSAL SUFFERING, OR THE AUTHORITYS HAS NO DISDAIN FOR THE LAW OR THE  
FEDERAL DUE PROCESS CLAUSE THAT GRANTS, PROTECTS, AND ARE GOVER'N BY THE U.S.C.  
APPELLATE REQUEST RELIEF WHICH WOULD RECTIFY THESE CRIMINAL ACTS, AND RESOLVE  
THE MATTERS PEACEFULLY & RESPECTFULLY..... FOLLOWS BELOW;

(1) REASONS OF DELAYANCE(S); SHOWS GOOD CAUSE FOR LATE FILING AND DUE  
TO TRANSFERRING FROM "UNIT TO UNIT" DELAYED RESPONDANCES IN ORDER TO BE RE-  
HOUSED & CLASSIFIED WHICH DENYED ME THE ABILITY TO RELIEVE THE ORDER FROM THE  
COURTS THAT WAS VIA U.S. POSTAL MAIL WHICH HAD TO "CATCH UP" WITH ME AT MY  
ASSIGNED UNIT WHERE I RECEIVED THE ORDER 9-17-24 WHICH SHOWED THE MAIL  
HAD TO BE EXAMINED BY THE AUTHORITYS OF THE "TDCJ" POLICYS, RULES, AND REGULATIONS

ACCORDINGLY WHICH CONSTITUTES GOOD CAUSE FOR WAIVER OF TIME LIMITS AND ARE UNAVOIDABLE CIRCUMSTANCES IN THE DELAYANCE IN THE HANDLING OF THE MAIL MATTERS HERE IN "TACS" (SEE; WOMARK VS. MERIT SYS. PROTECTION Bd. 748 Fd. 453 (FED. CIR. 1986))

(2). DATE OF SERVICES RECEIVED & RETURNED; HEREIN LIES THE DATES OF THE ATTEMPTS OF SERVICES BEARING THE MARKINGS ON THE ENVELOPE INDICATING THE WROR WAS BEING SENT FROM UNIT TO UNIT THAN "TRUCK MAILED" TO ME DELIVERED BY A "TOL" OFFICER, SERVICE BY MAIL DEEM EFFECTIVE WHEN THE ACKNOWLEDGEMENT IS RETURNED BY APPELLATE [SEE; CAL. CODE CIV. PRAC. § 415.30(c) & BARLOW 39. F. 3d. AT 234]

(3). NOTICE OF MAIN INGREDIENTS [MISSING TRANSCRIPTS] CASE IN CHIEF;

(a) MISSING TRANSCRIPTS; ATTEMPTING TO MODIFY THE RECORDS FOR PROSECUTION BENEFITS ARBITRATES THE EFFECTIVENESS OF AN APPEAL. MY TRANSCRIPTS WAS DESTROYED ON ~~THE~~ PURPOSE OR MISHANDLED OR, JUST PLAINLY DISAPPEARED WHICH DENIES ME THE RIGHT OF ACTIONS TO SEARCH, ANALYSIS, FIND, POINT-OUT CONSTITUTIONAL ERRORS, AND DENIES THE TIME TO ADEQUATELY REVIEW THE RECORDS FOR CROSS-EXAMINATIONS OF ALL OF THE WITNESS, AND EXPERT-WITNESS, GOVERNMENT WITNESS, ETC. IT FURTHER DENIES ME THE PROPER TIME TO PREPARE A SOLID APPEAL WITHOUT THE RECORDS OF WHAT TOOK PLACE AT THE HEARING(S) OF EVIDENCE, ACCUSATIONS, SENTENCING STAGE, TESTIMONIES ETC, DENIES ME OF THE FEDERAL DUE PROCESS, WHICH ON APPEAL BY LAW THE [TRANSCRIPTS] BECOMES THE MOST "VALUABLE PLAYER" IN PREPARING FOR AN APPEAL TO BE DENIED OR NEG-  
~~LECTED~~ LECTED OF THESE RIGHTS THATS SO GOVERNED BY THE U. S. C. IS CLEARLY REASONS FOR NEW TRIAL OR GIVEN THE OPTIONS OF TIME SERVED, AND VACATED FROM THE ALLEGED CONVICTION, ITS MORE SO DESTROYED OR MISSING BEING THAT THE TRANSCRIPTS WOULD REVEAL, MISCONDUCTS OF THESE ~~ACTS~~ ACTS MISTREATMENTS OF THE PARTIES INVOLVED IN THE ILLEGAL ACTS; ① PROSECUTORIAL MISCONDUCT, ② WRONGFUL PROSECUTION, ③ TAMPERING WITH STATE EVIDENCE, ④ POLICE MISCONDUCT, ⑤ PROCEDURE ERRORS, ⑥ ERROR OF LAW OCCURRING AT TRIAL & SENTENCING PHASE, ⑦ FEDERAL ERRORS.....

SEE; UNITED STATES V. PALIK 84 M.J. 284

(4). INEFFECTIVENESS OF THE COUNSELS ASSISTANCE; COUNSELS HAVE A DUTY TO CONSULT AND REVIEW AS WELL AS TO MAKE SURE CERTAIN RIGHTS ARE NOT TO BE VIOLATED BY THE COURTS, NOR TO ALLOW WORDAGE MANIPULATIONS OF THE LANGUAGE OF THE PROSECUTIONER, JUDGE, OR HIMSELF BECAUSE OF LACK OF EDUCATION OF THE UNDERSTANDING OF WORDAGE USED BY THE LAW, HE'S TO MAKE SURE THE APPELLATE DO SO UNDERSTAND IN TERMS OF ERRORS, PROCEEDINGS, AND TO BE TOLD WHATS TAKING PLACE WHILE THE TRIAL OR WHAT ~~MOVIE~~ MISREPRESENTING THROUGH ~~THE~~ BACK AND FORTH OF THE DEFENSE & PROSECUTIONS, ITS HIS DUTY TO BE AWARE AND MAKE



Case 1:23-cv-01004-RP Document 194 Filed 10/03/24 Page 3 of 5

APPELLATE AWARE OF WHATS TAKING PLACE STEP BY STEP. ALL THE COUNSELS KNOW OR DON'T KNOW IS IRRELEVANT TO THE FACTS OF HIGHER STANDARDS WHEN THE COUNSEL REFUSE TO AFFORD APPELLATE WITH THE (TRANSCRIPTS) EVEN AFTER THE DEFENDANT REQUEST TO PAY THE FEE FOR THE TRANSCRIPTS, AND MADE THE ATTEMPT TO PAY FOR THEM SEVERAL TIMES BEFORE THEY DISAPPEARED OR WAS DESTROYED, HE HAD MORE THAN THE ADEQUATE TIME TO RETRIEVE IN GIVE TO APPELLATE BUT FAIL TO DO SO FALLS WAY BELOW THE MEANS & STANDARDS OF DUTIES, AND BEING THAT TEXAS HAS AN OPEN FILE POLICY "AKA" OPEN TO THE PUBLIC FOR REVIEW & STUDY, FAMILY MEMBERS, AND FRIENDS EVEN MADE THE ATTEMPTS TO RECOVER THE (TRANSCRIPTS) DUE TO THE FACTS THAT COUNSEL KNEW THAT APPELLATE RECOGNIZED THAT HIS CONSTITUTIONAL RIGHTS HAD BEEN DAMAGED THE REQUEST FOR THE TRANSCRIPTS TO SHOW THE COURTS ERRORS, THE TRAIL WAS RECORDED BY THE COURTS, BUT THE COURTS "CAN NOT" PRODUCE OR SUPPLEMENT THE TRANSCRIPT, WHICH INSIDE THE "TRANSCRIPT" WOULD SHOW ITS OWN NEGLIGENCE, DENIAL OF FUNDAMENTAL FAIRNESS, AND REVEAL COUNSELS POOR PERFORMANCE(S) WHICH FAIL BELOW THE STANDARD OF LAW, THE RESULTS OF COUNSELS INEFFECTIVENESS RESULTED IN PRESUDICE, REFUSING TO FILE MOTIONS, THAT WOULD FORCE THE STATE COURTS TO ~~RELEA~~ RELEASE THE "TRANSCRIPT" TO THE APPELLATE SO HE COULD PROPERLY PREPARE HIS DEFENSE IN DIRECT APPEAL SHOWS INEFFECTIVE OF COUNSEL WHEN ANY OTHER COUNSEL WOULD HAVE RETRIEVED THEM BY KNOWING ITS SIGNIFICANTS OF THE TRANSCRIPT, AND THE MEANINGFULNESS OF THE "MOST VALUABLE PLAYER (TRANSCRIPTS)"

(5). APPELLATES REQUEST OF CORRECTIVE ACTIONS, TO BE RELEASED FROM FURTHER COLLATERAL CONSEQUENCES;

HENCEFORE APPELLATE PRAYS THAT THE "BRIEF" WILL BE ACCEPTED AS A JUSTIFIABLE, OUTSTANDING, THOROUGHLY, AND RESPECTFULLY CONSIDERED BY THE COURTS WHO HAS THE JURISDICTIONS TO ACCEPT & ACT WITH DUE DILIGENCE TO ANSWER THE "BRIEF" WITH THE COURTS DISCRETION'S BE AFFIRMED TO THE APPELLATE WITHOUT FOR DENIAL OF "DUE PROCESS" THAT IMPEDES THE LIFE, AND LIBERTY OF THE APPELLATE, ALL PREMISES CONSIDERED.....

RESPECTFULLY SUBMITTED BY: Tifford Byronie Crosby TOW #836746  
2024, Time: 06:30 AM DATE 9-23-24

## UNSWORN DECLARATION

My Name is Tifford Middle Byrone Last Crosby  
 My DATE OF BIRTH IS 12-31-69 AND my inmate identifying  
 NUMBER IS 836746 I am PRESENTLY INCARCERATED IN Texas  
Department of Criminal Justice City New Boston County Bowie  
 STATE Texas Zip Code 75570 I DECLARE UNDER  
 PENALTY OF PERJURY THAT THE CONTENTS OF THIS "BRIEF" AND THE FACTS STATED ARE  
 TRUE AND CORRECT.

EXECUTED ON THE DAY OF 9-23 YEAR 2024

SIGNATURE OF ~~DECLARANT~~ <sup>DECLARANT</sup> Tifford Byrone Crosby

## "NOTARY OF SERVICE"

TO U.S. District Court DATE 9-23-2024 Time 6:30 AM  
Western District of Texas  
United States Courthouse  
 SIGNATURE OF RECEIVER

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From: Telford Crosby #836746  
Telford Unit  
3899 State Hwy 98  
New Boston, Tex 75570

Legal

To: Clerk, U.S. District Court  
Western District of Texas  
United States Court House  
501 W. 5<sup>th</sup> Street Suite 1100  
Austin, Texas 78701

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